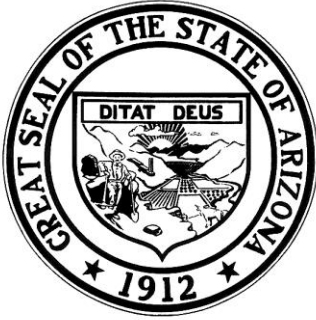


HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2191**

Gress Floor Amendment

-
- Increases, from 3 to 25 years, the time period a religious institution must have owned an eligible site to be considered an allowed use development under the requirements of the bill.

Amendment explanation prepared by J. Hobbins

Phone Number 6-3649

jh

3/4/2025

GRESS FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2191
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 9, chapter 4, article 6.1, Arizona Revised
3 Statutes, is amended by adding section 9-462.14, to read:

4 9-462.14. Religious institutions; allowed use developments;
5 requirements; definitions

6 A. NOTWITHSTANDING ANY LOCAL ZONING ORDINANCE, ANY SINGLE-FAMILY
7 AND MULTIFAMILY RESIDENTIAL HOUSING DEVELOPMENT ON ANY ELIGIBLE SITE IS
8 CONSIDERED AN ALLOWED USE DEVELOPMENT IF THE DEVELOPMENT MEETS ALL OF THE
9 FOLLOWING REQUIREMENTS:

10 1. IS NOT WITHIN SEVENTY-FIVE FEET OF A NEIGHBORING SITE.

11 2. HAS AT LEAST ONE PARKING SPACE PER UNIT OR MEETS THE MUNICIPAL
12 ZONING REQUIREMENTS FOR PARKING, WHICHEVER IS LESS.

13 3. MEETS ALL LOCAL REGULATIONS FOR WATER AND SEWER ACCESS.

14 4. IS ON AN ELIGIBLE SITE THAT HAS BEEN OWNED BY A RELIGIOUS
15 INSTITUTION FOR AT LEAST ~~[THE THREE]~~ [TWENTY-FIVE] YEARS PRECEDING THE
16 PLANNED ALLOWED USE DEVELOPMENT.

17 5. IS ON AN ELIGIBLE SITE THAT IS NOT LOCATED WITHIN ONE-HALF MILE
18 OF HEAVY INDUSTRIAL USE, AN AIRPORT OR A MILITARY BASE.

19 B. THE HEIGHT REQUIREMENTS FOR AN ALLOWED USE DEVELOPMENT ON AN
20 ELIGIBLE SITE MUST MEET ONE OF THE FOLLOWING:

21 1. BE NOT MORE THAN THIRTY-EIGHT FEET AND THREE FULL FLOORS.

22 2. BE THE MAXIMUM HEIGHT ALLOWABLE BY THE CURRENT MUNICIPAL ZONING
23 REGULATIONS FOR RETAIL, OFFICE, RESIDENTIAL OR MIXED USE.

24 3. BE NOT MORE THAN THE HEIGHT OF A PREVIOUSLY EXISTING STRUCTURE
25 ON THE ELIGIBLE SITE.

26 4. BE NOT MORE THAN THE HEIGHT OF ANY EXISTING BUILDING WITHIN
27 ONE-FOURTH MILE OF THE ELIGIBLE SITE, EXCEPT FOR BUILDINGS DEVELOPED
28 PURSUANT TO THIS SECTION.

1 C. MINIMUM SETBACK REQUIREMENTS FOR AN ALLOWED USE DEVELOPMENT ON
2 AN ELIGIBLE SITE MUST MEET ONE OF THE FOLLOWING:
3 1. BE AT LEAST EIGHT FEET FOR THE FRONT, SIDE AND REAR OF THE
4 ELIGIBLE SITE.
5 2. BE THE SETBACKS ALLOWABLE BY THE CURRENT MUNICIPAL ZONING
6 REGULATIONS FOR RETAIL, OFFICE, RESIDENTIAL OR MIXED USE.
7 3. BE AT LEAST THE SETBACKS OF A PREVIOUSLY EXISTING STRUCTURE ON
8 THE ELIGIBLE SITE.
9 4. BE AT LEAST THE SETBACKS EXISTING ON ANY NEIGHBORING SITE OR
10 FACING SITE.
11 D. THE GREATEST MAXIMUM LOT COVERAGE FOR AN ALLOWED USE DEVELOPMENT
12 ON AN ELIGIBLE SITE MUST MEET ONE OF THE FOLLOWING:
13 1. BE NOT MORE THAN COVERAGE OF EIGHTY PERCENT OF THE ELIGIBLE
14 SITE.
15 2. BE THE COVERAGE ALLOWABLE BY THE CURRENT MUNICIPAL ZONING
16 REGULATIONS FOR RETAIL, OFFICE, RESIDENTIAL OR MIXED USE.
17 3. BE NOT MORE THAN THE IMPERVIOUS LOT COVERAGE IN EXISTENCE ON THE
18 ELIGIBLE SITE AT THE TIME OF THE SUBMISSION OF THE DEVELOPMENT
19 APPLICATION.
20 4. BE NOT MORE THAN THE COVERAGE EXISTING ON ANY NEIGHBORING SITE
21 OR FACING SITE.
22 E. A MUNICIPALITY MAY NOT IMPOSE ANY ADDITIONAL RESTRICTIONS ON AN
23 ALLOWED USE DEVELOPMENT ON AN ELIGIBLE SITE OTHER THAN THE RESTRICTIONS
24 PROVIDED IN SUBSECTIONS A, B, C AND D OF THIS SECTION.
25 F. A MUNICIPALITY MAY REQUIRE ADDITIONAL PERMITS FOR AN ALLOWED USE
26 DEVELOPMENT ON AN ELIGIBLE SITE IF THE SAME PERMITS ARE REQUIRED BY THE
27 MUNICIPALITY FOR A COMPARABLE DEVELOPMENT PROJECT. PERMITS REQUIRED BY A
28 MUNICIPALITY FOR AN ALLOWED USE DEVELOPMENT ON AN ELIGIBLE SITE SHALL BE
29 APPROVED BY THE MUNICIPALITY ADMINISTRATIVELY AND THE MUNICIPALITY MAY NOT
30 REQUIRE A PUBLIC HEARING.
31 G. A MUNICIPALITY MAY REQUIRE SITE IMPROVEMENTS AND IMPACT FEES FOR
32 AN ALLOWED USE DEVELOPMENT ON AN ELIGIBLE SITE THAT ARE THE SAME AS SITE
33 IMPROVEMENTS AND IMPACT FEES THAT ARE REQUIRED BY THE MUNICIPALITY FOR A
34 COMPARABLE DEVELOPMENT PROJECT.
35 H. UNLESS THERE IS A LOCAL ORDINANCE, A FEDERAL, STATE OR LOCAL
36 GRANT REQUIREMENT OR A PROJECT FINANCING REQUIREMENT THAT REQUIRES A
37 CONFLICTING RESTRICTIVE COVENANT, THE RELIGIOUS INSTITUTION THAT ALLOWS
38 DEVELOPMENT ON AN ELIGIBLE SITE OWNED BY THE RELIGIOUS INSTITUTION SHALL
39 RECORD A DEED RESTRICTION THAT REQUIRES THE PROPERTY TO ALLOCATE FOR A
40 PERIOD OF FIFTY-FIVE YEARS AT LEAST FORTY PERCENT OF THE UNITS IN THE
41 ALLOWED USE DEVELOPMENT TO LOW-INCOME HOUSEHOLDS AS PRESCRIBED BY THE
42 ARIZONA DEPARTMENT OF HOUSING.
43 I. A RELIGIOUS INSTITUTION THAT ALLOWS AN ALLOWED USE DEVELOPMENT
44 ON AN ELIGIBLE SITE THAT IS OWNED BY THE RELIGIOUS INSTITUTION SHALL
45 NOTIFY THE COUNTY ASSESSOR IN THE COUNTY WHERE THE PROPERTY IS LOCATED IN
46 WRITING PURSUANT TO SECTION 42-11152 THAT THE PROPERTY IS NO LONGER USED
47 FOR THE PURPOSES THAT QUALIFY FOR EXEMPTION FROM TAXATION.

1 J. FOR THE PURPOSES OF THIS SECTION:

2 1. "ELIGIBLE SITE" MEANS LAND OR BUILDINGS ON ONE OR MORE
3 CONTIGUOUS PARCELS OWNED BY ONE OR MORE RELIGIOUS INSTITUTIONS.

4 2. "FACING SITE" MEANS A PARCEL THAT IS DIRECTLY ACROSS A PUBLIC
5 WAY FROM ANY PORTION OF AN ELIGIBLE SITE.

6 3. "NEIGHBORING SITE" MEANS A PARCEL THAT DIRECTLY ABUTS AN
7 ELIGIBLE SITE ALONG AN EXISTING ROAD.

8 4. "RELIGIOUS INSTITUTION" MEANS AN INSTITUTION THAT IS OWNED,
9 CONTROLLED, OPERATED AND MAINTAINED BY A CHURCH, RELIGIOUS DENOMINATION OR
10 RELIGIOUS ORGANIZATION THAT IS LAWFULLY OPERATING AS A NONPROFIT RELIGIOUS
11 CORPORATION.

12 Sec. 2. Title 11, chapter 6, article 2, Arizona Revised Statutes,
13 is amended by adding section 11-820.05, to read:

14 11-820.05. Religious institutions; allowed use developments;
15 requirements; definitions

16 A. NOTWITHSTANDING ANY COUNTY ZONING ORDINANCE, ANY SINGLE-FAMILY
17 AND MULTIFAMILY RESIDENTIAL HOUSING DEVELOPMENT ON ANY ELIGIBLE SITE IS
18 CONSIDERED AN ALLOWED USE DEVELOPMENT IF THE DEVELOPMENT MEETS ALL OF THE
19 FOLLOWING REQUIREMENTS:

20 1. IS NOT WITHIN SEVENTY-FIVE FEET OF A NEIGHBORING SITE.

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22 ZONING REQUIREMENTS FOR PARKING, WHICHEVER IS LESS.

23 3. MEETS ALL COUNTY REGULATIONS FOR WATER AND SEWER ACCESS.

24 4. IS ON AN ELIGIBLE SITE THAT HAS BEEN OWNED BY A RELIGIOUS
25 INSTITUTION FOR AT LEAST ~~[THE THREE]~~ [TWENTY-FIVE] YEARS PRECEDING THE
26 PLANNED ALLOWED USE DEVELOPMENT.

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28 OF HEAVY INDUSTRIAL USE, AN AIRPORT OR A MILITARY BASE.

29 B. THE HEIGHT REQUIREMENTS FOR AN ALLOWED USE DEVELOPMENT ON AN
30 ELIGIBLE SITE MUST MEET ONE OF THE FOLLOWING:

31 1. BE NOT MORE THAN THIRTY-EIGHT FEET AND THREE FULL FLOORS.

32 2. BE THE MAXIMUM HEIGHT ALLOWABLE BY THE CURRENT COUNTY ZONING
33 REGULATIONS FOR RETAIL, OFFICE, RESIDENTIAL OR MIXED USE.

34 3. BE NOT MORE THAN THE HEIGHT OF A PREVIOUSLY EXISTING STRUCTURE
35 ON THE ELIGIBLE SITE.

36 4. BE NOT MORE THAN THE HEIGHT OF ANY EXISTING BUILDING WITHIN
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42 ELIGIBLE SITE.

43 2. BE THE SETBACKS ALLOWABLE BY THE CURRENT COUNTY ZONING
44 REGULATIONS FOR RETAIL, OFFICE, RESIDENTIAL OR MIXED USE.

45 3. BE AT LEAST THE SETBACKS OF A PREVIOUSLY EXISTING STRUCTURE ON
46 THE ELIGIBLE SITE.

1 4. BE AT LEAST THE SETBACKS EXISTING ON ANY NEIGHBORING SITE OR
2 FACING SITE.

3 D. THE GREATEST MAXIMUM LOT COVERAGE FOR AN ALLOWED USE DEVELOPMENT
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9 3. BE NOT MORE THAN THE IMPERVIOUS LOT COVERAGE IN EXISTENCE ON THE
10 ELIGIBLE SITE AT THE TIME OF THE SUBMISSION OF THE DEVELOPMENT
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12 4. BE NOT MORE THAN THE COVERAGE EXISTING ON ANY NEIGHBORING SITE
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21 THE COUNTY ADMINISTRATIVELY AND THE COUNTY MAY NOT REQUIRE A PUBLIC
22 HEARING.

23 G. A COUNTY MAY REQUIRE SITE IMPROVEMENTS AND IMPACT FEES FOR AN
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26 COMPARABLE DEVELOPMENT PROJECT.

27 H. UNLESS THERE IS A LOCAL ORDINANCE, A FEDERAL, STATE OR LOCAL
28 GRANT REQUIREMENT OR A PROJECT FINANCING REQUIREMENT THAT REQUIRES A
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4 CORPORATION.

5 Enroll and engross to conform

6 Amend title to conform

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